

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BENITO JULIAN LUNA,

No. 2:04-cv-0627 MCE GGH P

Petitioner,

ORDER

SCOTT KERNAN,

Respondent.

Petitioner is a state prisoner represented by counsel, proceeding with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Presently calendared for hearing on October 15, 2015 is petitioner's motion to expand the record. Respondent has filed a non-opposition to the motion.

Accordingly, IT IS ORDERED that:

1. Petitioner's motion to expand the record, filed August 28, 2015 (ECF No. 65), is granted;

2. All exhibits submitted by petitioner in connection with the motion are admitted into the record; and

3. The hearing scheduled for October 15, 2015 is vacated.

Dated: October 6, 2015

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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